

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DUNKIN' DONUTS, INC. and	:	
BASKIN-ROBBINS USA, CO.,	:	
	:	
Petitioners,	:	
	:	
V.	:	C.A. No. 2011-_____
	:	
IRWIN J. BARKAN and	:	
D&D BARKAN LLC	:	
	:	
Respondents.	:	

PETITION TO REGISTER FOREIGN JUDGMENT

NOW COME the Petitioners, Dunkin' Donuts, Inc. and Baskin-Robbins USA, Co. (together, the "Petitioners"), by and through their attorneys, Nixon Peabody LLP, and respectfully enter this Petition to register a foreign judgment issued by the United States District Court for the District of Rhode Island, dated February 3, 2011, a certified copy of which is attached hereto as Exhibit A. In support hereof, the Petitioners state as follows:

1. On February 3, 2011, in ruling on a Motion for Entry of Final Judgment, the United States District Court for the District of Rhode Island (Lagueux, J.) entered a Judgment in a Civil Action in favor of the Petitioners and against the Respondents, Irwin J. Barkan and D&D Barkan LLC, in the amount of Thirty-Two Thousand Five Hundred and One Dollars and 48/100 (\$32,501.48) (the "Judgment"). See Exhibit A.

2. On March 2, 2011, the Clerk of Court for the United States District Court for the District of Rhode Island issued a Clerk's Certification of a Judgment to be Registered in Another District, certifying that no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before that court, and that no appeal has been filed or, if one was filed, that it is no longer pending. See Exhibit A.

3. The Petitioners seek to register the Judgment pursuant to 28 U.S.C. § 1963 in order to enforce the same against the Respondents in the Commonwealth of Massachusetts.

WHEREFORE, the Petitioners respectfully request that this Court:

- A. Register the judgment attached as Exhibit A with this Court; and
- B. Grant such further relief as is just and appropriate.

DUNKIN' DONUTS, INC. and
BASKIN-ROBBINS USA, CO.

By their attorneys

NIXON PEABODY LLP

/s/ Arthur L. Pressman

Arthur L. Pressman (BBO#643094)
100 Summer Street
Boston, MA 02110-2131
Tel.: (617) 345-1000
Fax: (617) 345-1300
apressman@nixonpeabody.com

and

/s/ Jeffrey S. Brenner

Jeffrey S. Brenner (BBO# 560392)
One Citizens Plaza, Suite 500
Providence, RI 02903
Tel.: (401) 454-1000
Fax: (401) 454-1010
jbrenner@nixonpeabody.com

Dated: March 28, 2011

CERTIFICATE OF SERVICE

I hereby certify that a copy of the within Petition to Register Foreign Judgment was mailed this 28th day of March, 2011 to Irwin J. Barkan, individually and on behalf of D&D Barkan LLC, 5358 Main Street, Waitsfield, VT 05673 by U.S. First Class Mail, postage prepaid.

/s/ Jeffrey S. Brenner